

Message Text

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TAGS: PGOV, CA

SUBJECT: FINES LEVIED IN IRVING NEWSPAPER MONOPOLY CASES

REF: CONGEN A-12, JANUARY 31, 1974

1. ON APRIL 2, MR. JUSTICE ALBANY ROBICHAUD LEVIED FINES TOTALLING 150,000 DOLLARS ON FOUR IRVING COMPANIES WHICH HAD EARLIER (SEE REF AIRGRAM) BEEN CONVICTED OF FORMING A MONOPOLY OF ALL DAILY NEWSPAPERS IN NEW BRUNSWICK.

2. FINES WERE AS FOLLOWS: KC IRVING LTD OF SAINT JOHN FINED TOTAL OF 100,000 DOLLARS ON FOUR COUNTS: NEW BRUNSWICK PUBLISHING CO LTD OF SAINT JOHN A TOTAL OF 30,000 DOLLARS ON THREE COUNTS: MONCTON PUBLISHING CO LTD AND UNIVERSITY PRESS OF NEW BRUNSWICK LTD OF FREDERICTON 10,000 DOLLARS EACH ON ONE COUNT.

3. SPECIAL COMBINES PROSECUTOR WILLIAM HOYT ACTING FOR FEDERAL DEPARTMENT OF JUSTICE HAD ASKED FOR FINES TOTALLING 500,000 DOLLARS. JUDGE ROBICHAUD REJECTED THIS FIGURE AS TOO HIGH IN VIEW OF PARTICULAR CIRCUMSTANCES IN CASE PENALTY OF THAT SIZE (WOULD SAVOR OF PERSECUTION).

4. PAYMENT OF FINES WILL BE POSTPONED AS COMPANIES HAVE APPEALED CONVICTIONS TO PROVINCIAL SUPREME COURT APPEALS DIVISION WHICH NOT EXPECTED TO ACT BEFORE SEPTEMBER.

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TM ROBICHAUD POSTPONED DECISION ON REQUEST BY PROSECUTOR FOR ORDER

PROHIBITING COMPANIES FROM OPERATING MONOPOLY IN THE FUTURE.
POSTPONEMENT REQUESTED BY DEFENSE ATTORNEY DONALD GILLIS WHO SAYS
HE NEEDS MORE TIME TO STUDY PROSECUTORS ARGUMENT FOR DISSOLVING
-))3&3\$.9,909)6. HEARING ON THIS ASPECT TO TAKE PLACE IN JUNE.

6. IN JUNE 1972 AFTER CHARGES LAID BUT PRIOR TO TRIAL, PAPERS
INVOLVED ANNOUNCED A REARRANGEMENT OF OWNERSHIP INVOLVING THE THREE
SONS OF FORMER NEW BRUNSWICK INDUSTRIALIST KC IRVING, NOW RESIDENT
IN BERMUDA. CHANGES PUT THREE MONCTON AND FREDERICTON PAPERS
UNDER WHOLE OWNERSHIP OF SON JOHN IRVING AND SONS JAMES AND ARTHUR
IRVING CONTROLLED TWO SAINT JOHN PAPERS.
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